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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
EDITH NELSON, )  
RONALD NELSON, )  
NELDA ASUNCION, and )  
CRISTETA LAGAREJOS, )  
 )  
Defendants. )  
 )

No. CR08-00477 DLJ

STIPULATION AND []  
ORDER EXCLUDING TIME UNDER THE  
SPEEDY TRIAL ACT, 18 U.S.C. § 3161  
ET SEQ.

By Clerk's Notice dated January 10, 2012, the previously scheduled court date of January 27, 2012 for Status or Change of Plea was vacated, and reset for February 3, 2012 at 10 a.m.

IT IS HEREBY STIPULATED AND REQUESTED, by and between the parties to this action, that the time from January 27, 2012 through February 3, 2012 should be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) on the basis that the ends of justice are served by taking such action which outweigh the best interest of the public and the defendant in a speedy trial and also under subsection (B)(iv) for effective preparation of counsel, taking into account the exercise of due diligence.

In this mortgage loan fraud case, which this Court has ruled is “complex” under the Speedy Trial Act, the parties need more time to evaluate the complicated issues of loss and restitution and other factual matters, such as a determination of the number of actual victims under the Guidelines, in order to assess whether plea agreements may be reached; whether one or more defendants will plead guilty without plea agreements; or whether this case will proceed to trial.

DATED: January 12, 2012

/s/  
DEBORAH R. DOUGLAS  
Assistant United States Attorney

DATED: January 12, 2012

/s/  
JOYCE LEAVITT  
Assistant Federal Public Defender  
Attorney for Defendant Edith Nelson

DATED: January 12, 2012

/s/  
GILBERT EISENBERG  
Attorney for Defendant Ronald Nelson

DATED: January 23, 2012

/s/  
DEBORAH G. LEVINE  
Attorney for Defendant Nelda Auncion

DATED: January 13, 2012

/s/  
JOHN J. JORDAN  
Attorney for Defendant Cristeta Lagarejos

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☐ ORDER EXCLUDING TIME  
UNDER THE SPEEDY TRIAL ACT, 18  
U.S.C. § 3161 ET SEQ.

GOOD CAUSE APPEARING, and pursuant to the stipulation of the government and the above-captioned defendants, IT IS HEREBY ORDERED that the time from January 27, 2012 through February 3, 2012 shall be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), for adequate preparation of counsel. The Court finds that the ends of justice served by the granting of the continuance outweigh the best interests of the public and the defendants in a speedy and public trial and the failure to grant the requested

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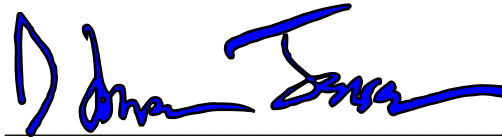
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STIPULATION AND ORDER  
CR 08-00477 DLJ

1 continuance would unreasonably deny counsel the reasonable time necessary for effective  
2 preparation and continuity of counsel, taking into account due diligence.

3  
4 IT IS SO ORDERED.

5 Dated: January HF, 2012



HONORABLE D. LOWELL JENSEN  
United States District Judge